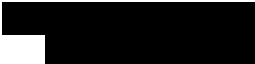

EXHIBIT H

Jesse Ball



Judge Colleen McMahon
Case: US v Filippo Bernardini, 21 CR 458 (CM)

Your Honor,

My name may not be familiar to you. I am one of the authors the theft of whose work has led to a case over which you are presiding. The defendant (Filippo Bernardini) corresponded with me using the identity of my editor, Jonathan Lee of Catapult, and thereby managed to convince me to send him several of my unpublished manuscripts.

I would like to explain to you my impression of the incident, and then give you my opinion about it.


In the first place, I was deeply confused, as we all were, by his actions. Manuscripts, though technically constituting intellectual property, are a special case, as an author's work can rarely be meaningfully stolen. What we do is stamped throughout by our hand. It would be difficult for someone to publish one of my novels under a different name.

And so, my first reaction was to be titillated, even pleased.

If you would ask me—Jesse Ball, do you want to live in the universe in which no manuscripts are stolen by F. Bernardini, or the one in which he has enacted this caper, I would certainly choose the latter. The publishing world over the decades has become more and more corporate and cookiecutter. Large portions of the book landscape are owned by the same German family. And so, we must be grateful when something human enters the picture: when the publishing industry for once becomes something worth writing about.

The difficulties of my manuscripts being stolen were none, solely a bit of confusion with regard to what I had or had not (actually) told my editor, since some of my communications had gone awry. On the other hand, the benefit of having it stolen was that I suddenly felt once again I lived in a community, a place where things matter because there is memory, attendant eyes fastening on to things that happen. For once a person cared deeply about something—what matter that he was an interloper? You cannot imagine the soul crushing boredom of run-of-the-mill publishing correspondence. I'm grateful that there is still room in the world for something facetious to occur now and then.

That was my impression at the time. Now let me give you my opinion about the crime.

I feel that Filippo Bernardini should be given the absolute minimum punishment possible. *Under no condition whatsoever should he, on my behalf, be given prison time.* The crime of loving books, and of loving intrigue, and of mixing up (on the internet) what is real and what is imagined, is, in this case, a slight one. For a person like Mr. Bernardini, who as I understand may even be , a trip to prison would be a traumatizing and unhelpful punishment. Please try to understand the nature of his crime, and the nature of the environment in which it took place. One has really to narrow one's eyes to perceive any injury whatsoever. It was truly a trivial thing, a frivolous thing. Sending a man to prison over this would be a way to take a victimless crime and create a victim in the person of the accused.

Thank you for reading this statement, and good luck in your work.

Best regards,

Jesse Ball
7 March 2023